

These minutes have been approved by the Board on 8.3.2020

MINUTES OF THE CONFERENCE CALL MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
June 8, 2020

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Chair, Vicki Criswell, at 10:30 a.m., in the Licensure Conference Room, LU1, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Public Meeting Law.

Members Present (9):

The following members answered roll call:

Bridget Anderson, Vice-Chair
Shannon Bingham, Member
Vicki Criswell, Chair
Jacqueline Hornig, Member
Melanie Judkins, Member
Ruth Lucas, Member
Marie Nordboe, Member
Becky Pettigrew, Member
Harold "Buddy" Sims, Member

Members Absent (2):

Pam Rowland, Secretary
Brandy Phillips, Member

Others Present via Conference Call:

Kris Chiles, Program Manager, Licensure Unit
Heidi Weiland, Health Licensing Specialist, Licensure Unit
Anna Harrison, Compliance Monitor, Licensure Unit
Natalee Hart, Assistant Attorney General
Pat Lemke – DHHS Investigator
Trevor Klaassen – DHHS Investigator

A quorum was present and the meeting convened.

10:32 a.m. - Phillips entered the meeting

2. ADOPTION OF AGENDA

MOTION: Pettigrew moved, seconded by Nordboe, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

3. APPROVAL OF MINUTES – 5.4.2020

These minutes were deferred to the next scheduled meeting.

4. COVID-19: CLOSURES, Re-OPENS, and PRESS RELEASES

<http://dhhs.ne.gov/licensure/Pages/Cosmetology-and-Esthetics.aspx>

Chiles provided information:

- The most up to date re-opening guidelines and Directed Health Measures (DHM) can be found on the cosmetology licensure home page, see link above.
- Pettigrew inquired if the mask rule will be lifted as of 7.1.2020. There has been no information to support lifted of the masks requirements at this time, the current situation is being evaluated week by week.

- Criswell stated the Governor's taskforce is meeting on 6.12.2020 to re-evaluate guidelines for re-opening.
- Members voiced concern that masks are required in salons, but not in other but not at places such as Wal-Mart.
- A member reported he/she was exposed by an asymptomatic client. The member's test results came back negative. The member stated personal protective equipment does work and should be used to protect yourself and the client.
- Continuing Education clarifications: Executive Order 20-10 and FAQ's.
The Department will not enforce any limit on the number of continuing education hours obtained online or by home study for renewal or reinstatement of any type of license during the State Declaration of Public Health Emergency. The Department will be as flexible as possible for renewals that take place following the emergency. If licensees obtained online or home study CE hours during the emergency because in-person courses were not available, the Department will accept those CE hours even if the renewal (expiration date) for that profession takes place after the emergency has ended.
- Chiles also noted there is an option for a continuing education waivers under the Uniform Credentialing Act for circumstances beyond the licensee's control. The Department is working on the details and hope to have information available soon.
- Sims understands that the Department no longer approves continuing education. Can salon owners teach classes? Chiles advised yes as long as the class is available to the public not just the employees. They can state they only want a limited amount of people that can attend the class. Once the revised regulations pass, the 'requirement that the training must be available to the public is removed' and in-service education is acceptable towards CE.
- The 2020 Legislative Session resumes 7.20.20 – 8.13.20. Chiles will notify the board members if any bills relating to the cosmetology board will be reviewed.
- Regulations: Chapter 36 and 37 (cosmetology, electrology, esthetics, and nail technology people) and (schools) were sent to the Governor for review on 5.19.20. We could possibly get approval by next month. Chiles reported she has questions to follow up with Judkins regarding Body Art Chapters 44-46. Chapter 34/43 relating to salon sanitation and safety are ready to be forwarded to the Attorney General for review.

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Pettigrew moved, seconded by Nordboe, to enter into closed session at 10:58 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Criswell repeated the motion and purpose. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

11:58 a.m. – Klaassen and Lemke exited the meeting

Criswell declared the meeting return to open session at 11.52 a.m. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10) Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

6. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

- Applications, Convictions and Reinstatements

Convictions

Corinne Collins – Esthetician – Initial License

MOTION: Nordboe moved, seconded by Pettigrew, to recommend to defer the board's recommendation and request further information. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

Martin Darwin – Tattoo Artist – Re-review: Initial License

MOTION: Pettigrew moved, seconded by Nordboe, to recommend to defer the board's recommendation and request further information.. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

Sarah Garrett – Cosmetologist – Initial License

MOTION: Nordboe moved, seconded by Anderson, to recommend a 1 year probation, successfully pass the cosmetology jurisprudence examination within the first 90 days of issuance, employer quarterly reports and the standard probationary terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

Mikka Winston – Cosmetologist – Initial License

MOTION: Anderson moved, seconded by Criswell, to recommend a 6 month probation, successfully pass the cosmetology jurisprudence examination within the first 90 days of issuance, and the standard probationary terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Lucas, Phillips, Sims (7). Voting nay: Judkins, Nordboe, Pettigrew (3). Absent: Rowland (1). Vacant positions (2). Motion carried.

Elsa Whittaker, Body Piercer – Re-Review Initial License

MOTION: Nordboe moved, seconded by Hornig, to recommend a 3 year probation, no solo practice, abstain from controlled substances and alcohol, medication reporting, random body fluid screens, follow the evaluation recommendations and any future recommendations, and standard drug/alcohol probationary terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Sims (10). Voting nay: None (0). Absent: Rowland (1). Vacant positions (2). Motion carried.

Reinstatement:

Leslie Graber, Tattoo Artist – Reinstatement

Deferred to the next meeting, need additional time to review application.

7. ADJOURNMENT

Criswell announced the next meeting is scheduled on 7.13.20 and declared the meeting adjourned at 12:00 p.m.

Submitted,

Bridget Anderson, Vice-Chair (in absence of Pamela Rowland),
Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by:

Heidi Weiland, Health Licensing Coordinator, Licensure Unit